

## UNITED STATES DISTRICT COURT

for the  
District of Arizona

United States of America )

v. )

Javier Landell-Salomon, ) Case No. 17-348MJ  
(A 206 084 471) )Defendant )

## CRIMINAL COMPLAINT

I, the complainant in this case, state that the following is true to the best of my knowledge and belief.

On or about the date of August 20, 2017, in the County of Maricopa, in the District of Arizona, the defendant violated Title 8, U.S.C. § 1326(a), an offense described as follows:

Javier Landell-Salomon, an alien, was found in the United States of America at or near Phoenix, in the District of Arizona, after having been previously denied admission, excluded, deported, and removed from the United States at or near Del Rio, Texas, on or about June 14, 2015, and not having obtained the express consent of the Secretary of the Department of Homeland Security to reapply for admission thereto; in violation of Title 8, United States Code, Section 1326(a). I further state that I am a Deportation Officer.

This criminal complaint is based on these facts:

See Attached Statement of Probable Cause Incorporated By Reference Herein

CEB

REVIEWED BY: Charles E. Bailey, P.S. for AUSA Kathy J. Lemke

☒ Continued on the attached sheet.


Complainant's signature

Darrin J. McNeill,  
Deportation Officer

Printed name and title

Sworn to before me and signed in my presence.

Date: August 22, 2017


Judge's signature

City and state: Phoenix, ArizonaMichelle H. Burns,  
United States Magistrate Judge

Printed name and title

### **STATEMENT OF PROBABLE CAUSE**

I, Darrin J. McNeill, being duly sworn, hereby depose and state as follows:

1. Your affiant is a Deportation Officer with United States Immigration and Customs Enforcement (ICE). I have learned from direct participation in the investigation and from the reports and communications of other agents and officers the facts recited herein.
2. On August 20, 2017, the Phoenix Police Department (PPD) encountered Javier Landell-Salomon during a traffic stop at 7<sup>th</sup> Street and Roeser Road, in Phoenix, Arizona. PPD Officer Wilkinson suspected Landell-Salomon to be illegally present in the United States and contacted the Phoenix ICE Law Enforcement Agency Response Unit for assistance. ICE Officer T. Munoz telephonically interviewed Landell-Salomon and determined him to be a citizen of Mexico, illegally present in the United States. On the same date, Landell-Salomon was transported to the Phoenix ICE office for further investigation and processing. Landell-Salomon was held in administrative custody until his criminal and immigration records could be obtained and his identity confirmed.
3. Immigration history checks revealed Javier Landell-Salomon to be a citizen of Mexico and a previously deported criminal alien. Landell-Salomon was removed from the United States to Mexico at or near Del Rio, Texas, on or about June 14,

2015, pursuant to the reinstatement of an order of removal issued by an immigration official. There is no record of Landell-Salomon in any Department of Homeland Security database to suggest that he obtained permission from the Secretary of the Department of Homeland Security to return to the United States after his removal. Landell-Salomon's immigration history was matched to him by electronic fingerprint comparison.

4. On August 20, 2017, Javier Landell-Salomon was advised of his constitutional rights. Landell-Salomon freely and willingly acknowledged his rights and declined to make any further statements.
5. For these reasons, this affiant submits that there is probable cause to believe that on or about August 20, 2017, Javier Landell-Salomon, an alien, was found in the United States of America, at or near Phoenix, in the District of Arizona, after having been previously denied admission, excluded, deported, and removed from the United States

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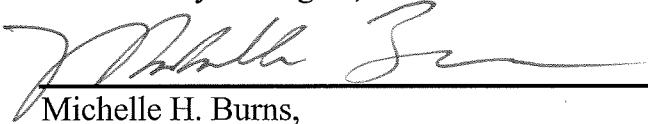
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at or near Del Rio, Texas, on or about June 14, 2015, and not having obtained the express consent of the Secretary of the Department of Homeland Security to reapply for admission thereto; in violation of Title 8, United States Code, Section 1326(a).

A handwritten signature in black ink, appearing to read "D. McNeill", written over a horizontal line.

Darrin J. McNeill,  
Deportation Officer,  
Immigration and Customs Enforcement

Sworn to and subscribed before me  
this 22<sup>nd</sup> day of August, 2017.

A handwritten signature in black ink, appearing to read "Michelle Burns", written over a horizontal line.

Michelle H. Burns,  
United States Magistrate Judge